

**CM 6-2-14**

Minutes Special Meeting of Mayor and Council – June 2, 2014  
Town Hall Council Chambers, 100 Central Avenue  
Executive Session 6:45 P.M.  
Public Session 7:00 P.M.

**Agendas & Minutes can be viewed at [www.townofhammonton.org](http://www.townofhammonton.org)**

MEETING CALLED TO ORDER

ATTENDANCE ROLL CALL

Councilman:

Bachalis - Present

Esposito – Present

Gribbin - Present

Pullia - Present

Rodio – Present

Wuillermin - Present

Mayor DiDonato - Present

PRESENT ALSO

Brian Howell, Town Solicitor

Executive Session #R073A-2014

#R073A-2014

BE IT RESOLVED, by the Mayor and Common Council of the Town of Hammonton that, in accordance with the "Open Public Meetings Act," an Executive Session is authorized on this below adopted date, for the purpose of discussing and/or acting upon:

1. Revaluation Update

BE IT FURTHER RESOLVED, that the minutes of any matters discussed in Executive Session shall be released to the public as soon as reasonably possible after Mayor and Council conclude that the basis for exclusion of the public ceases to exist.

Motion by Councilperson Gribbin, seconded by Councilperson Esposito, #R073A is adopted.

ROLL CALL

Councilman:

Bachalis - Yes

Esposito – Yes

Gribbin - Yes

Pullia - Yes

Rodio – Yes

Wuillermin - Yes

Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

RESUME REGULAR MEETING-ROLL CALL

Councilman:  
Bachalis - Present  
Esposito – Present  
Gribbin - Present  
Pullia - Present  
Rodio – Present  
Wuillermin - Present  
Mayor DiDonato - Present

PRESENT ALSO

Brian Howell, Town Solicitor  
Bob Vettese of ARH, Town Engineer  
Jerry Barberio, Public Works Manager/Business Administrator

PUBLIC NOTICE

Notice of this meeting has been posted and given to official newspapers. Please familiarize yourselves with the fire exits to the right and rear of the Council Chambers. Please do not proceed beyond the front benches without invitation from the Mayor to do so. Also, each person who wishes to address Council will be allotted 5 minutes.

PLEDGE OF ALLEGIANCE

Hearing Ordinance #013-2014 Establishing Funding for Revaluation

ORDINANCE #013- 2014

AN ORDINANCE OF THE TOWN OF HAMMONTON, COUNTY OF ATLANTIC, STATE OF NEW JERSEY  
AUTHORIZING A SPECIAL EMERGENCY APPROPRIATION PURSUANT TO N.J.S.A. 40A: 4-53 FOR THE  
PURPOSE OF PAYMENT OF A COMPLETE REVALUATION PROGRAM

BE IT ORDAINED by the Mayor and Town Council of the Town of Hammonton, in the County of Atlantic and State of New Jersey, that pursuant to N.J.S.A. 40A:4-53 (ch.48, P.L. 1956 as amended by Ch.144, P.L. 1965 and Ch.38, P.L. 1969), the sum of Three Hundred Sixty Four Thousand one hundred and three Dollars (\$364,103.00) is hereby appropriated for the preparation and execution of a complete program of revaluation of real property for the use of the local assessor and shall be deemed a special emergency appropriation as defined and provided for in N.J.S.A. 40A:4-55. The authorization to finance the appropriation shall be provided for in the succeeding annual budgets by the inclusion of at least one-fifth (1/5<sup>th</sup>) of the amount authorized pursuant to this act (N.J.S.A. 40A:4-55).

Motion by Councilperson Bachalis, seconded by Councilperson Esposito, the ordinance is taken up for second reading and public hearing. Motion carried.

No one desired to be heard.

Motion by Councilperson Wuillermin, seconded by Councilperson Rodio, the hearing is closed, the ordinance is passed second reading and adopted.

ROLL CALL

Councilman:  
Bachalis - Yes  
Esposito – Yes  
Gribbin - Yes  
Pullia - Yes  
Rodio – Yes

Wuillermin - Yes  
Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

Hearing Ordinance #014-2014 Lakeview Storm Sewer & Road Improvements

Ordinance #014-2014

BOND ORDINANCE PROVIDING FOR LAKEVIEW DRIVE STORM SEWER AND ROADWAY IMPROVEMENTS IN AND BY THE TOWN OF HAMMONTON, IN THE COUNTY OF ATLANTIC, NEW JERSEY, APPROPRIATING \$300,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$50,000 BONDS OR NOTES OF THE TOWN TO FINANCE PART OF THE COST THEREOF.

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF HAMMONTON, IN THE COUNTY OF ATLANTIC, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

Section 1. The improvement described in Section 3(a) of this bond ordinance is hereby authorized to be undertaken by the Town of Hammonton, in the County of Atlantic, New Jersey (the "Town") as a general improvement. For the improvement or purpose described in Section 3(a), there is hereby appropriated the sum of \$300,000, including a \$247,000 grant expected to be received from the New Jersey Department of Transportation and also including the sum of \$3,000 as the down payment required by the Local Bond Law. The down payment is now available by virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 2. In order to finance the cost of the improvement or purpose not covered by application of the down payment, negotiable bonds are hereby authorized to be issued in the principal amount of \$50,000 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvement hereby authorized and the purpose for the financing of which the bonds are to be issued is the Lakeview Drive storm sewer and roadway improvements, including all costs necessary therefor or incidental thereto.

(b) The estimated maximum amount of bonds or bond anticipation notes to be issued for the improvement or purpose is as stated in Section 2 hereof.

(c) The estimated cost of the improvement or purpose is equal to the amount of the appropriation herein made therefor.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no bond anticipation note shall mature later than one year from its date. The bond anticipation notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with bond anticipation notes issued pursuant to this bond ordinance, and the chief financial officer's signature upon the bond anticipation notes shall be conclusive evidence as to all such determinations. All bond anticipation notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law. The chief financial officer is hereby authorized to sell part or all of the bond anticipation notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the bond anticipation notes pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.

Section 5. The Town hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Town is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. To the extent that the purposes

authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvement or purpose described in Section 3(a) of this bond ordinance is not a current expense. It is an improvement or purpose that the Town may lawfully undertake as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.

(b) The period of usefulness of the improvement or purpose within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, is 20 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Town as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$50,000, and the obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.

(d) An aggregate amount not exceeding \$60,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purpose or improvement.

Section 7. The Town hereby makes the following covenants and declarations with respect to obligations determined to be issued by the Chief Financial Officer on a tax-exempt basis. The Town hereby covenants that it will comply with any conditions subsequent imposed by the Internal Revenue Code of 1986, as amended (the "Code"), in order to preserve the exemption from taxation of interest on the notes, including, if necessary, the requirement to rebate all net investment earnings on the gross proceeds above the yield on the notes. The Chief Financial Officer is hereby authorized to act on behalf of the Town to deem the obligations authorized herein as bank qualified for the purposes of Section 265 of the Code, when appropriate. The Town hereby declares the intent of the Town to issue bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use the proceeds to pay or reimburse expenditures for the costs of the purposes described in Section 3 of this bond ordinance. This Section 7 is a declaration of intent within the meaning and for purposes of Treasury Regulations §1.150-2 or any successor provisions of federal income tax law.

Section 8. Any grant moneys received for the purpose described in Section 3 hereof shall be applied either to direct payment of the cost of the improvement or to payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

Section 9. The chief financial officer of the Town is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Town and to execute such disclosure document on behalf of the Town. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Town pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the ARule@) for the benefit of holders and beneficial owners of obligations of the Town and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Town fails to comply with its undertaking, the Town shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

Section 10. The full faith and credit of the Town are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Town, and the Town shall be obligated to levy *ad valorem* taxes upon all the taxable real property within the Town for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 11. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

Motion by Councilperson Rodio, seconded by Councilperson Bachalis, the ordinance is taken up for second reading and public hearing. Motion carried.

No one desired to be heard.

Motion by Councilperson Rodio, seconded by Councilperson Bachalis, the hearing is closed, the ordinance is passed second reading and adopted.

ROLL CALL

Councilman:

Bachalis - Yes

Esposito – Yes

Gribbin - Yes

Pullia - Yes

Rodio – Yes

Wuillermin - Yes

Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

#R074-2014 Special Emergency Appropriation Revaluation

**RESOLUTION #R074-2014**

**RESOLUTION TO APPROVE A SPECIAL EMERGENCY APPROPRIATION PURSUANT TO N.J.S.A. 40A: 4-54 FOR THE PURPOSE OF PAYMENT OF A COMPLETE REVALUATION PROGRAM**

**WHEREAS**, it has been found necessary to make a Special Emergency Appropriation to meet certain extraordinary expenses to be incurred, by the complete Town revaluation program and,

**WHEREAS**, N.J.S.A. 40A:4-53 provides that it shall be lawful to make such appropriation, which appropriation and the “special emergency notes” issued to finance the same shall be provided for in succeeding annual budgets by the inclusion of an appropriation of at least one-fifth of the amount authorized pursuant to this act.

**NOW, THEREFORE BE IT RESOLVED**, that in accordance with the provisions of N.J.S.A. 40A:4-55:

1. A Special Emergency Appropriation is hereby made for Payment of a Complete Revaluation Program in the total amount of \$364,103.
2. That the special emergency appropriation shall be provided for in the budgets of the next succeeding years by the inclusion of not less than \$72,820.60.
3. That an “special emergency note”, not in excess of the amount authorized pursuant to law, be provided.
4. That such note shall be executed by Robert E. Scharlé, Chief Financial Officer.
5. That said note shall be dated in 2014, may be renewed from time to time provided that such note and any renewals shall mature and be paid in the amount of not less than one-fifth of the total amount appropriated by this resolution in each year after authorization.
6. That two (2) certified copies of this resolution will be filed with the Director of the Division of Government Services; however, no approval is required from the Division.

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Motion by Councilperson Esposito, seconded by Councilperson Wuillermin, the resolution is adopted.

ROLL CALL

Councilman:

Bachalis - Yes

Esposito – Yes

Gribbin - Yes

Pullia - Yes

Rodio – Yes

Wuillermin - Yes

Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

#R075-2014 Award Bid Boyer Avenue Drip Irrigation Pump Material

RESOLUTION # 075-2014  
RESOLUTION AWARDING BIDS FOR  
Boyer Avenue Drip Irrigation Pump Material

WHEREAS, the Town of Hammonton received bids for the Boyer Avenue Drip Irrigation Pump Material on May 28, 2014 in accordance with the provisions of the New Jersey Local Public Contracts Law; and

WHEREAS, the only bid received was from Gayle Corporation in the amount of \$70,661.36.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Town Council of the Town of Hammonton, County of Atlantic, State of New Jersey that the Boyer Avenue Drip Irrigation Pump Material bid is awarded to Gayle Corporation in the amount of \$70,661.36.

Motion by Councilperson Wuillermin, seconded by Councilperson Gribbin , the resolution is adopted.

ROLL CALL

Councilman:

Bachalis - Yes

Esposito – Yes

Gribbin - Yes

Pullia - Yes

Rodio – Yes

Wuillermin - Yes

Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

#R076-2014 Award Bid Boyer Avenue Drip Irrigation Pipe and Tubing

RESOLUTION # 076-2014  
RESOLUTION AWARDING BIDS FOR  
Boyer Avenue Drip Irrigation Pipe and Tubing

**CM 6-2-14**

WHEREAS, the Town of Hammonton received bids for the Boyer Avenue Drip Irrigation Pipe and Tubing on May 28, 2014 in accordance with the provisions of the New Jersey Local Public Contracts Law as follows:

Lee Rain Inc.	\$298,321.05
Farm Rite Inc.	\$598,573.69
John Deere Landscapes	\$920,848.80

WHEREAS, the low bid received was from Lee Rain Inc. in the amount of \$298,321.05.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Town Council of the Town of Hammonton, County of Atlantic, State of New Jersey that the Boyer Avenue Drip Irrigation Pipe and Tubing bid is awarded to Lee Rain Inc. in the amount of \$298,321.05; and

BE IT FURTHER RESOLVED that the Purchasing Agent is authorized to release bid bond in form of cashiers check to Farm Rite.

Motion by Councilperson Wuillermin, seconded by Councilperson Gribbin, the resolution is adopted along with contingencies described within the June 2<sup>nd</sup>, 2014 email attached hereto.

ROLL CALL

- Councilman:
- Bachalis - Yes
- Esposito – Yes
- Gribbin - Yes
- Pullia - Yes
- Rodio – Yes
- Wuillermin - Yes
- Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

#R077-2014 Award Bid Boyer Avenue Drip Irrigation Automatic Controller & Electronic Material

RESOLUTION # 077-2014  
 RESOLUTION AWARDING BIDS FOR  
 Boyer Avenue Drip Irrigation Automatic Controller & Electronic Material

WHEREAS, the Town of Hammonton received bids for the Boyer Avenue Drip Irrigation Automatic Controller & Electronic Material on May 28, 2014 in accordance with the provisions of the New Jersey Local Public Contracts Law as follows:

Atlantic Irrigation Specialties	\$17,438.00
Lee Rain Inc.	\$25,505.20

WHEREAS, the low bid received was from Atlantic Irrigation Specialties in the amount of \$17,438.00.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Town Council of the Town of Hammonton, County of Atlantic, State of New Jersey that the Boyer Avenue Drip Irrigation Automatic Controller & Electronic Material bid is awarded to Atlantic Irrigation Specialties in the amount of \$17,438.00.

Motion by Councilperson Wuillermin, seconded by Councilperson Rodio, the resolution is adopted.

ROLL CALL

Councilman:

Bachalis - Yes

Esposito – Yes

Gribbin - Yes

Pullia - Yes

Rodio – Yes

Wuillermin - Yes

Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

#R078-2014 Award Bid Lakeview Storm Sewer & Various Road Projects

**RESOLUTION #078-2014  
RECOMMENDATION OF AWARD  
STATE DISCRETIONARY AID FOR LAKEVIEW DRIVE  
STORM SEWER AND ROADWAY IMPROVEMENT PROJECT**

WHEREAS, the Mayor and Town Council of the Town of Hammonton has received funding from the State Department of Transportation to allow for the improvements of Lakeview Drive storm sewer and roadway within the Town of Hammonton; and

WHEREAS, the required permits for the design and construction of said roadway have been received by the Town of Hammonton; and

WHEREAS, as the Town has advertised and received bids on May 14, 2014 for the construction of said improvements in accordance with the Public Contracts Law; and

WHEREAS, the low bid received for project construction was provided by the firm of Jersey Construction, Inc. of Hammonton, NJ whose base bid total was \$262,285.00; and

WHEREAS, the Town has received an allotment of State Aid Discretionary funds totaling \$247,000.00; and

WHEREAS, the Town of Hammonton has allocated additional funds through the introduction of an appropriating Bond Ordinance #14-2014 to supplement the State Aid funds received for the project to allow for said improvements to occur; and

THEREFORE BE IT RESOLVED, that the Mayor and Council of the Town of Hammonton hereby recommends to the New Jersey Department of Transportation that the Lakeview Drive Storm Sewer and Roadway Improvement Project in the Town of Hammonton, Atlantic County be awarded to Jersey Construction, Inc. of Hammonton, NJ whose base bid total was \$262,285.00 subject to compliance with conditions as noted below:

1. Review and Approval of the bid documents by the Town Solicitor.
2. Final passage of Bond Ordinance #14-2014 by the Town.
3. Certification as to the availability of funds from the Town's Chief Financial Officer.



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4. Review and Approval of the bid documents and award recommendation by the NJDOT.

That the presiding officer (Mayor) of this body be and is hereby directed to sign for and on its behalf the contract in the prescribed form for said construction.

That the clerk of this body be and is hereby directed to seal said contract with the corporate seal of this body and attest to the same that the NJDOT has allotted a total of \$247,000.00 through the State Aid Discretionary funds and the Town has passed the appropriating Bond Ordinance #14-2014 for the project.

That the Mayor and Town Council and the NJDOT has provided for the establishment of funds to complete the project improvements as designed and bid.

Motion by Councilperson Rodio , seconded by Councilperson Bachalis, the resolution is adopted.

ROLL CALL

Councilman:

Bachalis - Yes

Esposito – Yes

Gribbin - Yes

Pullia - Yes

Rodio – Yes

Wuillermin - Yes

Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

Appoint ARH Construction Manager for Lakeview Storm Sewer & Various Road Projects

Motion by Councilperson Rodio, seconded by Councilperson Wuillermin, authorize a purchase order to ARH for construction manager services for Lakeview Storm Sewer & Various Road Projects in an amount of \$22,880.00.

ROLL CALL

Councilman:

Bachalis - Yes

Esposito – Yes

Gribbin - Yes

Pullia - Yes

Rodio – Yes

Wuillermin - Yes

Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

#R079-2014 Award Bid Revaluation

**CM 6-2-14**

Motion by Councilperson Bachalis, seconded by Councilperson Rodio, the resolution is adopted.

ROLL CALL

Councilman:

Bachalis - Yes

Esposito – Yes

Gribbin - Yes

Pullia - Yes

Rodio – Yes

Wuillermin - Yes

Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

Well #1 and 3, Lincoln Street; New dollar amount approved by Spill fund of \$1,563,968.00

Discussion

Deputy Mayor Gribbin asked for authorization to add the following three members to the Hammonton Tourism Committee:

Andrew Winneberger

Peter Lucca

Nick Cashan

Motion by Councilperson Gribbin, seconded by Councilperson Esposito, authorization to add members is approved.

ROLL CALL

Councilman:

Bachalis - Yes

Esposito – Yes

Gribbin - Yes

Pullia - Yes

Rodio – Yes

Wuillermin - Yes

Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

PUBLIC HEARD

No one desired to be heard.

MEETING ADJOURNED

Motion by Councilperson Gribbin , seconded by Councilperson Rodio, the meeting is adjourned. Motion carried.

Monica Newton, Deputy Clerk